

portion that fits around the joint and a controller operably connected to the sensor, the controller controls the display based on signals from the sensor.

REMARKS

Claims 24-31 and 50 remain for consideration. Claims 24 and 50 are amended to more particularly point out Applicants' claimed invention. The amendment of claim 24 is supported by the specification, for example, at page 20, lines 19-24 and page 22, lines 20-25. Claim 50 is amended for consistency with claim 24. Also, the amendments of claim 50 are supported by the specification, for example, at page 20, lines 19-24, page 22, lines 20-25 and page 40, line 31 to page 41, line 33. No new matter is introduced by the amendments.

Applicants respectfully request reconsideration of the rejections of the claims based on the following comments.

Objection to the Specification

The Examiner objected to the specification for lack of support of claim 50. Claim 50 is directed to an orthosis that implements the method of claim 24. In particular, the Examiner questioned the support for an orthosis that implements the method of claim 24.

Orthoses are described extensively in the specification, for example, at page 19, line 31 to page 20, line 28 and page 22, line 16 to page 55, line 17. Displays are described, for example, at page 40, line 31 to page 41, line 20 and page 42, lines 25-30. Support portions are described in the specification, for example, from page 22, line 30 to page 26, line 34. The method of claim 24 is described in the specification, for example, at page 58, line 10 to page 60, line 6. In the specification, from page 58, line 10 to page 60, line 6, the performance of the method of claim 24 is described using an orthosis with support portions (for example,

page 59, lines 1-3 and lines 18-35) and a display (page 58, line 29 to page 59, line 5 and page 59, lines 14-17).

Applicants believe that the specification extensively supports claim 50. However, Applicants have amended claim 50 to clarify the relationship between claim 50 and claim 24. In view of the clarifications of claim 50, Applicants respectfully request withdrawal of the objection to the specification for failing to provide proper antecedent basis for the claimed subject matter.

Rejections Under 35 U.S.C. §112

The Examiner rejected claim 50 under 35 U.S.C. §112, second paragraph as being indefinite. In particular, the Examiner indicated that the relationship between the elements of claim 50 and claim 24 were unclear. Applicants inadvertently used slightly different terminology in the two claims. Applicants have amended claim 50 to clarify the relationship between the elements of the two claims.

In view of the amendments of claim 50, Applicants respectfully request withdrawal of the rejection of claim 50 under 35 U.S.C. §112, second paragraph as being indefinite.

Rejections Over Pitkanen

The Examiner rejected claims 24-31 and 50 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 4,556,216 to Pitkanen (the Pitkanen patent). The Examiner noted many particular features of the Pitkanen device. Applicants have amended claims 24 and 50 to more particularly point out their claimed invention. In particular, the claimed invention involves an ambulatory orthosis. Applicants respectfully request reconsideration of the rejections based on the following comments.

The Pitkanen patent does not teach, suggest or motivate the use of an ambulatory orthosis or brace. In particular, the Pitkanen patent does not disclose a support structure at all. With the Pitkanen device, the user's joint is not supported. In contrast, the user of the Pitkanen device pushes against rollers to

transfer forces to rotate lever arms. Thus, the Pitkanen patent does not teach, suggest or motivate Applicants' claimed device or corresponding method. Since the Pitkanen patent does not lead a person of skill in the art to Applicants' claimed device and method, the Pitkanen patent does not render Applicants' claims obvious.

Applicants respectfully request withdrawal of the rejection of claims 24-31 and 50 under 35 U.S.C. §103(a) as being unpatentable over the Pitkanen patent.

CONCLUSIONS

In view of the above amendments and remarks, Applicants submit that this application is in condition for allowance, and such action is respectfully requested. The Examiner is invited to telephone the undersigned attorney to discuss any questions or comments that the Examiner may have.

The Director of the Patent and Trademark Office is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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MARKED-UP CLAIM AMENDMENTS

claims 24 and 50 have been amended as follows:

24. (Amended) A method of performing coordination exercises for neuromotor training comprising:

flexing a first joint such that a cursor on a display moves to reach a target position on the display at a selected, prescribed time, the motion of the cursor being correlated with the motion or strain of the joint by way of a sensor in an ambulatory orthosis placed at the joint, the orthosis comprising a support portion that fits around the joint.

50. (Amended) An ambulatory orthosis that implements the method of claim 24, the orthosis [orthopedic device] comprising [a] the display [and a] the support portion that fits around [a patient's] the joint and a controller operably connected to the sensor, the controller controls the display based on signals from the sensor[, wherein the orthopedic device implements the method of claim 24].